

According to the Examiner, the declaration was defective. In response, a new declaration is now submitted to remedy such defect, wherein the declaration is now dated and signed.

Claims 1-6 have been cancelled in favor of new claims 7-18. New main claim 7 is fully supported by original claim 3 as filed. New main claim 13 is fully supported by original claim 4 as filed. Claims 8-11 and 14-17 are supported by original claim 5. Claims 12 and 18 are supported by original claim 6. It is believed that no new matter has been added.

The Examiner rejected claims 1 and 2 under 35 U.S.C. 112, second paragraph, as being indefinite. In response, Applicants have canceled claims 1 and 2 thereby rendering the rejection moot.

The Examiner rejected claims 3-6 under 35 U.S.C. 101 for not properly setting forth the steps in the claimed method. In response, Applicants have canceled claims 3-6 and recast them as new claims 7-18 in accordance with U.S. patent practice format.

For the record, Applicants emphasize that although the claims were amended to overcome this rejection, and, therefore, might be considered to have been amended for a reason substantially related to patentability, a fair reading of the amended claims will reveal that the departures from the previous claims were for clarification purposes only, and that Applicants did not narrow the claims in any material respect. Therefore, Applicants submit that the amended claims are entitled to the full range of equivalents.

In view of the foregoing, Applicants submit that the Examiner would be fully justified to reconsider and to withdraw this rejection. An early notice that this rejection has been reconsidered and withdrawn is, therefore, earnestly solicited.

Claims 1 and 2 are rejected by the Examiner under 35 U.S.C. 102(b) as being anticipated by each one of the references EP 0 229 690 A2, EP 0 256 656 A1, and WO 95/02388. In response, Applicants have canceled claims 1 and 2 thereby rendering the rejection moot.

In view of the foregoing, Applicants submit that the Examiner would be fully justified to reconsider and to withdraw this rejection. An early notice that this rejection has been reconsidered and withdrawn is, therefore, earnestly solicited.

Applicants believe that the foregoing constitutes a bona fide response to all outstanding objections and rejections.

Applicants also believe that this application is in condition for immediate allowance. However, should any issue(s) of a minor nature remain, the Examiner is respectfully requested to telephone the undersigned at telephone number (212) 808-0700 so that the issue(s) might be promptly resolved.

Early and favorable action is earnestly solicited.

Respectfully submitted,

NORRIS MCCLAUGHLIN & MARCUS, P.A.

By

Kurt G. Briscoe
Reg. No. 38,141

220 East 42nd Street
30th Floor
New York, New York 10017
(212) 808-0700

CERTIFICATE OF MAILING

I hereby certify that the foregoing Amendment under 37 CFR § 1.111 (7 pages total) is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Hon. Commissioner of Patents, Washington, D.C. 20231, on the date indicated below:

Date: May 31, 2002

By

Kurt G. Briscoe